

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

**Translation**

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**B6P97EP/PCT**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/EP2004/004472**

International filing date (day/month/year)

**28.04.2004**

Priority date (day/month/year)

**28.04.2003**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**ALEXANDER BINZEL SCHWEISSTECHNIK GMBH & CO. KG**

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input checked="" type="checkbox"/> | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/230.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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Box No. 1

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(h)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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Box No. V

Reasoned statement under Rule 43bis.I(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-16

YES

Claims

NO

Inventive step (IS)

Claims 1-16

YES

Claims

NO

Industrial applicability (IA)

Claims 1-16

YES

Claims

NO

2. Citations and explanations:

V.1 Reference is made to the following documents:

D1: DE 87 07 787 J (THIELMANN FRIEDELIN) 16 July  
1987 (1987-07-16)

D2: US-A-4 733 050 (GRAFIUS GERALD R) 22 March  
1988 (1988-03-22)

V.2 Independent claim 1

Document D1 is regarded as the closest prior art to the subject matter of claim 1. It discloses a device for cleaning a gas nozzle of a welding torch and for spraying a welding rod located in the gas nozzle, from which the subject matter of claim 1 differs by virtue of the fact that the spraying device can be moved in the direction of a second axis that is arranged differently from the first axis and relative to the clamping/holding device.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem to be solved by the present invention

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can therefore be considered that of achieving more uniform wetting of the interior of the gas nozzle or the welding rod located therein with an anti-stick medium.

The solution to this problem proposed in claim 1 of the present application, namely that of arranging the nozzles so as to be moveable with respect to the clamping device, is not rendered obvious by the available prior art. Although there are known devices in which a welding torch guided by a robot is moved past a spraying device (cf. D2), these are different processing stations which are arranged next to one another and are moved in succession by a robot, rather than one device which carries out the various steps in one position.

Therefore, claim 1 is based on an inventive step (PCT Article 33(3)).

V.3 Claims 2-16 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.